

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CRIMINAL NO. 3:04CR151

UNITED STATES OF AMERICA

VS.

THOMAS JONATHAN AICHER

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ORDER

THIS MATTER is before the Court on the Defendant's letter filed July 18, 2006, which is construed as a motion to correct the Defendant's name as it appears on the indictment and judgment herein.

Attached to the motion is a copy of an order issued by the Clerk of Superior Court of Rowan County, North Carolina, on May 9, 2005, directing that the Defendant's name be changed from that of Aicher to his given name of Christopher Ross Frick. The Court knows of no Criminal Rule of Procedure that provides for a change in a defendant's name *ex post facto*. The Defendant is encouraged to seek advice of counsel on how to proceed.

IT IS, THEREFORE, ORDERED that the Defendant's motion to change or correct his name on the indictment and judgment herein is hereby **DENIED** without prejudice.

Signed: July 20, 2006

A handwritten signature in black ink, appearing to read "L. H. Thornburg", written over a horizontal line.

Lacy H. Thornburg
United States District Judge

